IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 29374 of 2007(V)

PETITIONER:

A.K.G.MEMORIAL LABOUR CONTRACTS SOCIETY
LTD., S.NO.634/1997, FORT ROAD, TELLICHERRY,
REPRESENTED BY ITS SECRETARY PRAKASH A.K.,
PRAKASH BUNGALOW, TELLICHERRY.

BY ADV. SMT.A.R.PRAVITHA

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY,
VYDHYTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

2. THE PROJECT MANAGER,
KERALA STATE ELECTRICITY BOARD,
KOZHIKODE DIESEL POWER PROJECT,
NALLALAM, KOZHIKODE.

BY SC FOR KSEB SRI.P.P. THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 29374 OF 2007

Dated this the 29th day of October, 2007

J U D G M E N T

The prayer made by the petitioner in this writ petition is for payment in terms of Ext.P1 agreement entered into between the petitioner and the respondents for providing security guards. Petitioner claims payment in terms of Ext.P5. However, on instruction learned counsel for the respondents submit that in terms of Clause 6 of Ext.P1, remuneration at the agreed rate will be paid by the respective establishment of the Board to the Security Agency on a monthly basis on production of bills along with detailed statement of posting of the guards. According to them, Ext.P5 is only a consolidated bill and that too, unsupported by statement of posting of the guards, as contemplated in Clause 6 of Ext.P1. It is also submitted that as far as the claim for service tax is concerned, it is for the petitioner to produce the service tax registration number and in the absence of which the Board is not in a position to consider that claim as well.

Taking into account the submissions made by both sides, I dispose of this writ petition making it clear that if the petitioner submits the bill as specified by the Board in Ext.P1, the same will be considered and if any amount is due, the payment will be made without any further delay.

ANTONY DOMINIC, JUDGE

vps